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**Patent and Trademark Office**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/250,340 02/16/99 SIA

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021832  
CUMMINGS AND LOCKWOOD  
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700 STATE STREET  
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TM02/0627

EXAMINER

AKERS, G

ART UNIT

PAPER NUMBER

2164  
DATE MAILED:

06/27/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
09/250,340

Applicant(s)

Sia

Examiner

Geoffrey Akers

Art Unit

2164



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1) ☒ Responsive to communication(s) filed on Jun 11, 2001

2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

## Disposition of Claims

4) ☒ Claim(s) 1-32 and 35 is/are pending in the application

4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration

5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.

6) ☒ Claim(s) 1-32 and 35 is/are rejected.

7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.

8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirements

## Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.

12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) ☐ All b) ☐ Some\* c) ☐ None of:

- ☐ Certified copies of the priority documents have been received.
- ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

15) ☐ Notice of References Cited (PTO-892)

18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_

16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

19) ☐ Notice of Informal Patent Application (PTO-152)

17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_

20) ☐ Other:

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**DETAILED ACTION**

***Response to Amendment***

1. The text of those sections of Title 35 US Code not included herein can be found in a prior Office action(see Serial No: 09/250,340). The text of those sections of Title 35 US Code not otherwise provided in a prior Office action will be included here where appropriate.
2. This action is responsive to the amendment filed 6/11/01.
3. Claims 33 and 34 were canceled. New claim 35 was added. No claims were amended.
4. Claims 1-32 and 35 are pending.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

6. Claims 1-2,5-6,7-9,17-18,21-25 are rejected under 35 USC 102(e) as anticipated by Arent(US Pat. No: 6,018,724).
7. As per claim 1 Arent teaches a system including at least two parts or stations wherein a transaction or connection between any two or more of said parts or stations is conducted or established by means of an access code(Fig 2/200), said access code being available to an

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accessed part or station and requiring an identical access code to be provided to an accessing part or station at the time of conducting the transaction or establishing the connection(col 3 lines 28-44), wherein said access code is one of a plurality of codes provided to said accessed part or station and available to said accessing part or station, said access code being selected from said plurality of codes at the time of conducting the transaction or establishing the connection such that no two transactions are conducted or no two connections are established with the same access code(col 4 lines 42-64).

8. As per claim 2 Arent teaches a system according to claim 1 wherein said selected code is removed from said system or is otherwise disabled after it has been used to conduct a transaction or establish a connection between said accessed and accessing parts or stations(col 4 lines 47-50)(Fig 5/510/520).

9. As per claim 5 Arent teaches a system according to any one of the preceding claims wherein each code includes a sequence of characters and/or numbers(col 5 lines 12-17).

10. As per claim 6 Arent teaches a system according to claim 5 wherein said characters and/or numbers include Roman numerals, letters of the alphabet, morse codes etc(col 5 lines 12-17).

11. As per claim 7 Arent teaches a system according to any one of the preceding claims wherein the plurality of codes is generated external to said system and is generated by the user(col 4 lines 51-53).

12. As per claim 8 Arent teaches a system according to any one of the preceding claims wherein said plurality of codes is at least 100(col 4 lines 58-64). Arent teaches that the text string is

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selected by the user. For all text strings of length 2 characters or more, the plurality of codes is greater than 100.

13. As per claim 9 Arent teaches a system according to any one of the preceding claims including first code storage means associated with said accessing part or station for storing one copy of said plurality of codes(col 4 lines 45-47).

14. As per claim 17 Arent teaches a method of conducting a transaction or establishing a connection between at least two parts or stations by means of an access code(Fig 2/200), said access code being available to an accessed part or station at the time of conducting the transaction or establishing the connection and requiring an identical access code to be provided to an accessing part or station(col 3 lines 28-44), said method including the steps of making available a plurality of codes to said accessed and said accessing parts or stations and selecting, at the time of conducting the transaction or establishing the connection, one code from said plurality of codes and using said selected code to conduct the transaction or establish the connection such that no two transactions are conducted or no two connections are established with the same access code(col 4 lines 42-64).

15. As per claim 18 Arent teaches a method according to claim 17 wherein said selected code is removed from said accessed part or station or is otherwise disabled after it has been used to conduct a transaction or establish a connection between said accessed and accessing parts or stations(col 4 lines 47-50)(Fig 5/510/520).

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16. As per claim 21 Arent teaches a method according to claim 17 wherein each code includes a sequence of characters and/or numbers(col 5 lines 12-17).

17. As per claim 22 Arent teaches a method according to claim 21 wherein said characters and/or numbers include Roman numerals, letters of the alphabet, Morse codes(col 5 lines 12-17).

18. As per claim 23 Arent teaches a method according to any one of claims 17 to 22 wherein the plurality of codes is generated external to said at least two parts or stations(col 4 lines 51-53).

19. As per claim 24 Arent teaches a system according to any one of the claims 17 to 23 wherein said plurality of codes is at least 100(col 4 lines 58-64). Arent teaches that the text string is selected by the user. For all text strings of length 2 characters or more, the plurality of codes is greater than 100.

20. As per claim 25 Arent teaches a method according to any one of claims 17 to 24 including providing first code storage means associated with said accessing part or station for storing one copy of said plurality of codes(col 4 lines 45-47).

***Claim Rejections - 35 USC § 103***

21. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

22. Claims 14,16,30,32,35 are rejected under 35 USC 103(a) as unpatentable over Arent(US Pat. No: 6,018,724) and further in view of Wallner(US Pat. No: 5,696,909).

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23. As per claim 14 Wallner teaches a system according to any one of claims 1 to 10 wherein at least one said part or station includes a PC or computer terminal(Fig 2/218/220).It would have been obvious to one skilled in the art at the time of the invention to combine Arent in view of Wallner to teach the above. The motivation is to describe a secure electronic funds transfer system.

24.As per claim 16 Wallner teaches a system according to any one of claims 1 to 10 wherein at least one said part or station is associated with a movement operation as a card swipe(Fig 2/216). Wallner also teaches that indicator lights may be employed as user prompts(col 5 lines 61-65) as well as voice circuits to permit the user to interact with human agents(col 5 lines 55-60). It would have been obvious to one skilled in the art at the time of the invention to combine Arent in view of Wallner to teach the above and to apply a signal generated at the card swipe to opening a door. The motivation is to describe a secure electronic funds transfer system.

25. As per claim 30 Wallner teaches a system according to any one of claims 17 to 26 wherein at least one said part or station includes a PC or computer terminal(Fig 2/218/220).It would have been obvious to one skilled in the art at the time of the invention to combine Arent in view of Wallner to teach the above. The motivation is to describe a secure electronic funds transfer system.

26.As per claim 32 Wallner teaches a system according to any one of claims 17 to 26 wherein at least one said part or station is associated with a movement operation as a card swipe(Fig 2/216). Wallner also teaches that indicator lights may be employed as user prompts(col 5 lines 61-65) as

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well as voice circuits to permit the user to interact with human agents(col 5 lines 55-60). It would have been obvious to one skilled in the art at the time of the invention to combine Arent in view of Wallner to teach the above and to apply a signal generated at the card swipe to opening a door. The motivation is to describe a secure electronic funds transfer system.

27. As per claim 35 Arent teaches a method of establishing a secure communication between a provider and a customer(abstract)(col 1 lines 36-40). Wallner teaches the step of providing a magnetic strip for storing a first set of codes with the customer(Fig 2/216). Arent teaches providing a computer for storing a second set of codes with the provider(col 4 lines 42-64) said second set of codes being identical to the first set of codes(Fig 5) receiving a first code from the customer during establishing the secure connection, the first code being selected from the first set of codes; accessing a second code from a second set of codes; comparing the first code with the second code wherein a perfect match is a successful verification and preventing further use of the first code by the customer by deleting the first code and the second code(col 4 lines 41-45).It would have been obvious to one skilled in the art at the time of the invention to combine Arent in view of Wallner to teach the above and to apply a signal generated at the card swipe to opening a door. The motivation is to describe a secure electronic funds transfer system.

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28. Claims 10,26 are rejected under 35 USC 103(a) as unpatenable over Arent(US Pat. No: 6,018,724).



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29. As per claim 10 Arent teaches a system according to claim 9 including second code storage means associated with said accessed part or station for storing a copy of said plurality of codes(col 4 lines 45-47). Arent fails to teach that a second copy of said plurality of codes identical to said one copy stored in said first storage means. It would have been obvious to one skilled in the art at the time of the invention to store a second copy of the code. The motivation for this is for security redundancy.

30. As per claim 26 Arent teaches a system according to claim 25 including second code storage means associated with said accessed part or station for storing a copy of said plurality of codes(col 4 lines 45-47). Arent fails to teach that a second copy of said plurality of codes identical to said one copy stored in said first storage means. It would have been obvious to one skilled in the art at the time of the invention to store a second copy of the code. The motivation for this is for security redundancy.

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31. Claims 3,4,11-13,15,19-20,27-29,31 are rejected under 35 USC 103(a) as unpatentable over Arent(US Pat. No: 6,018,724) and further in view of White(US Pat. No: 4,630,201).

32. As per claim 3 White teaches a method according to claim 1 or 2 wherein said plurality of codes is generated by means of a pseudo random generator(col 6 line 60-col 7 line 47)(Fig 2A/210/212). It would have been obvious to one skilled in the art at the time of the invention to combine Arent in view of White to teach the above. The motivation is to describe a secure electronic funds transfer system.

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33. As per claim 4 Arent teaches a system according to claim 1 or wherein said plurality of codes is generated by means of a user defined means to produce non-repeating sequence of codes(col 5 lines 12-17). Arent fails to teach that the access code is generated by a software program. White teaches the generation of a random number combined with a transaction ammount to produce a security code(col 7 lines 35-37). It would have been obvious to one skilled in the art at the time of the invention to combine Arent in view of White to teach the above. The motivation is to describe a secure electronic funds transfer system.

34. As per claim 11 White teaches a system according to claim 9 wherein said first code storage means includes one of an ATM transaction card, a smart card(col 2 lines 20-33), an integrated circuit microchip and a computer diskette(col 4 line 63-col 5 line 3).It would have been obvious to one skilled in the art at the time of the invention to combine Arent in view of White to teach the above. The motivation is to describe a secure electronic funds transfer system.

35. As per claim 12, White teaches a system according to claim 10 wherein said second code storage means is associated with one of a bank computer system, a service provider computer system and a telephone exchange(col 5 lines 50-65)(col 5 lines 1-6).It would have been obvious to one skilled in the art at the time of the invention to combine Arent in view of White to teach the above, and to apply these techniques to a second code storage for redundancy. The motivation is to describe a secure electronic funds transfer system.

36. As per claim 13 White teaches a system according to any one of claims 1 to 10 wherein at least and said part or the station includes an ATM terminal(col 6 lines 64-68). It would have been

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obvious to one skilled in the art at the time of the invention to combine Arent in view of White to teach the above. The motivation is to describe a secure electronic funds transfer system.

37. As per claim 15 White teaches a system according to any one of claims 1 to 10 wherein at least one said part or station includes a telephone dial pad(col 8 lines 58-60) for voice connection. White fails to teach the use of a mobile transceiver. It would have been obvious to one skilled in the art at the time of the invention to combine Arent in view of White to teach the above and to utilize a mobile transceiver for the requisite voice communication channel.. The motivation is to describe a secure electronic funds transfer system.

38. As per claim 19 White teaches a method according to claim 17 wherein said plurality of codes is generated by means of a pseudo random generator(col 6 line 60-col 7 line 47)(Fig 2A/210/212). It would have been obvious to one skilled in the art at the time of the invention to combine Arent in view of White to teach the above. The motivation is to describe a secure electronic funds transfer system.

39. As per claim 20 Arent teaches a system according to claim 17 wherein said plurality of codes is generated by means of a user defined means to produce non-repeating sequence of codes(col 5 lines 12-17). Arent fails to teach that the access code is generated by a software program. White teaches the generation of a random number combined with a transaction amount to produce a security code(col 7 lines 35-37). It would have been obvious to one skilled in the art at the time of the invention to combine Arent in view of White to teach the above. The motivation is to describe a secure electronic funds transfer system.

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40. As per claim 27 White teaches a system according to claim 25 wherein said first code storage means includes one of an ATM transaction card, a smart card(col 2 lines 20-33), an integrated circuit microchip and a computer diskette(col 4 line 63-col 5 line 3).It would have been obvious to one skilled in the art at the time of the invention to combine Arent in view of White to teach the above. The motivation is to describe a secure electronic funds transfer system.

41. As per claim 28, White teaches a system according to claim 26 wherein said second code storage means is associated with one of a bank computer system, a service provider computer system and a telephone exchange(col 5 lines 50-65)(col 5 lines 1-6).It would have been obvious to one skilled in the art at the time of the invention to combine Arent in view of White to teach the above, and to apply these techniques to a second code storage for redundancy. The motivation is to describe a secure electronic funds transfer system.

42. As per claim 29 White teaches a system according to any one of claims 17 to 26 wherein at least and said part or the station includes an ATM terminal(col 6 lines 64-68).It would have been obvious to one skilled in the art at the time of the invention to combine Arent in view of White to teach the above. The motivation is to describe a secure electronic funds transfer system.

43. As per claim 31 White teaches a system according to any one of claims 17 to 26 wherein at least one said part or station includes a telephone dial pad(col 8 lines 58-60) for voice connection. White fails to teach the use of a mobile transceiver.It would have been obvious to one skilled in the art at the time of the invention to combine Arent in view of White to teach the above and to

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utilize a mobile transceiver for the requisite voice communication channel. The motivation is to describe a secure electronic funds transfer system.

*Response to Arguments*

44. Applicant's arguments filed 6/11/01 have been fully considered but they are not persuasive. Applicant's entire argument hinges on the feature of an access code and its uniqueness as utilized in the present invention. An access code is utilized in the method of Arent(Fig 2/200). The digital certificate and software keys are initially different in Arent, but of course, may indeed be the same as a special case of this more general structure. The generation of random numbers for access codes is well known. Arent teaches that the certification indicator may have any of a variety of "other structures"(col 5 lines 11-17). Additionally, Arent teaches (col 4 lines 42-64)(Fig 5/520) that the component may be "customized by the user." Thus the code may indeed be unique. Applicant's invention lacks novelty.


*Conclusion*

45. This action is made **NON-FINAL**.

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Any questions regarding this communication should be directed to the examiner, Dr. Geoffrey Akers, P.E. who can be reached at (703)-306-5844 between the hours of 6:30 AM to 5:00 PM Monday through Friday. If attempts to contact the examiner are unsuccessful, the examiner's supervisor, Mr. Vincent Millin, may be telephoned at (703)-308-1065.

GRA/June 20,2001

  
MELANIE A. KEMPER  
PRIMARY EXAMINER